



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/057,111

01/23/2002

Yoshifumi Tanimoto

81800.0180

1396

26021

7590

03/22/2006

HOGAN & HARTSON L.L.P.  
500 S. GRAND AVENUE  
SUITE 1900  
LOS ANGELES, CA 90071-2611

EXAMINER

REVAK, CHRISTOPHER A

ART UNIT

PAPER NUMBER

2131

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/057,111	<b>Applicant(s)</b> TANIMOTO, YOSHIFUMI	
	<b>Examiner</b> Christopher A. Revak	<b>Art Unit</b> 2131	

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 December 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new grounds of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Langford et al, U.S. Patent 6,266,420 in view of Susaki et al, U.S. Patent 6,253,322.

As per claims 1,9, and 15, Langford et al teaches of a device, method, and storing medium storing a program for causing a computer to transmitting same data to a plurality of destinations. Data is encrypted by utilizing a session key. The session key is encrypted by utilizing each of the public (common) keys that have been determined to the respective destinations. The email is transmitted that which includes the encrypted data the encrypted session key (col. 2, lines 3-16 and col. 3, lines 15-28). The teachings of Langford et al fail to disclose that the common key is generated based on a public key and a secret key. It is disclosed by Susaki et al of generation of a common key based on a public key and a secret key (col. 6, lines 29-56). It would have been

obvious to a person of ordinary skill in the art at the time of the invention to have been motivated in applying use of common keys based on a public key system since using public keys and private keys are time consuming, by using a common key based on public and private keys, the common key is shared amongst participants in the communications and the encryption process is more efficient (col. 6; lines 29-56). It is obvious that the teachings of Langford et al would have found the teachings of Susaki et al beneficial in that Susaki et al overcomes problems in the prior art by using common keys based on public and private keys in order to avoid time delays.

As per claims 2,10, and 16, Langford et al discloses of the email comprising header information showing the plurality of destinations as well as the encrypted data and the encrypted session key is transmitted (col. 2, lines 52-54 and col. 3, lines 1-13).

As per claims 3 and 17, it is disclosed by Langford et al of including encrypted data in the email with one encrypted session key that is transmitted to a destination related to the public (common) key that has been utilized to encrypt the one session key (col. 2, lines 3-16 and col. 3, lines 15-28).

As per claims 4,12, and 18, the teachings of Langford et al recite of before transmitting the email, the session key is repeatedly encrypted until all of the public (common) keys have been determined to the respective destinations are utilized to encrypt the session key and the email includes the encrypted data and all of the encrypted session keys are transmitted to all of the destinations by one transmission process (col. 2, lines 3-16 and col. 3, lines 15-28).

As per claims 5,13, and 19, Langford et al discloses that until all of the public (common) keys have been determined to the respective destinations are utilized to encrypt the session key, the process involving encryption of the session key by utilizing each of the public (common) keys which have been determined to the respective destinations and transmitting the email that which includes the encrypted data the encrypted session key is repeated such that after transmitting the email, the session key is encrypted by another public (common) key, and then another email including the encrypted data and the session key encrypted by the another public (common) key is transmitted (col. 2, lines 3-16; col. 3, lines 15-28; and col. 4, lines 38-40).

As per claims 6,14, and 20, it is taught by Langford et al of generating each of the public (common) keys by utilizing each public key generated based on information of each of the plurality of destinations and utilizing a private (secret) key (col. 3, lines 33-40).

As per claim 7, Langford et al discloses of using an encryption algorithm (ID-based Non-Interactive Key Sharing Scheme) with a symmetric key (col. 1, lines 13-16).

As per claim 8, Langford et al teaches that the data and the session key are encrypted using the Data Encryption Standard (col. 1, lines 35-38).

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CR

March 19, 2006

CHRISTOPHER REVAK  
PRIMARY EXAMINER

*CEL* 3/19/06